

**LOUISIANA DEPARTMENT OF AGRICULTURE AND FORESTRY  
LEGISLATIVE OVERSIGHT REPORT**

**RE: Department of Agriculture and Forestry; Office of Agro-Consumer Services;  
Louisiana Agricultural Commodities Commission  
Agricultural Commodity Dealer and Warehouse Law  
(LAC 7:XXVII.101 – 111, 114, 115, 119, 123, 128, 129, 157 and 161)**

This report is submitted electronically to the President of the Senate, Speaker of the House of Representatives, and the Senate and House Committees on Agriculture, Forestry, Aquaculture and Rural Development, in accordance with R.S. 49:968 regarding the intent of the Department of Agriculture and Forestry, through the Office of Forestry, to take the proposed action with regard to the above cited rules.

**I. THE PROPOSED ACTION**

The proposed rules amend Chapter 1 by removing the language “bond” and replacing it with “security.” This is necessary because bonds are not the only type of security accepted by the Commission (*see* Act 439 of the 2015 Regular Session). The proposed rules also remove language and requirements already set forth in Title 3 of the Revised Statutes. Proposed Rule 114 is new and sets forth guidelines for the temporary storage of commodities. Finally, the proposed amendments to Rule 128 add a new service of vomitoxin testing and an associated fee. The fee for Vomitoxin testing is \$25 if the testing kits are supplied by the person requesting the test or \$35 if the department supplies the kit.

**II. THE REASONS FOR THE PROPOSED ACTION**

The amendments are necessary in order to allow security other than bonds to be provided to the commission, to provide rules regarding the temporary storage of grain and to add a grain vomitoxin testing service for certain commodities. Additionally, the proposed rules remove language from LAC Title 7 that is already set forth in Title 3 of the Revised Statutes.

**III. STATUTORY AUTHORITY**

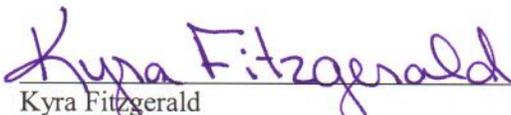
The proposed amendments are authorized by R.S. 3:3402(17), 3:3405, 3:3409, 3:3414.3 and 3:3422.

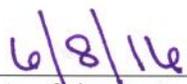
Act 439 of the 2015 Regular Session expanded the type of security accepted by the commission from a bond to “any financial instrument.” The proposed rules make the same change to LAC 7.XXXVI.

**IV. ATTACHMENTS**

A. The proposed action coded with any new rule or language underscored and with language to be deleted from an existing rule in struck-through type.

B. A copy of the fiscal and economic impact statement approved by the Legislative Fiscal Office.

  
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Kyra Fitzgerald  
Director, LA Agricultural Commodities Commission

  
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Date of signature